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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

24 CR 665 (LAP)

6 JARED SOLOMON,

7 Arraignment

8 Defendant.
9 -----x

10
11 New York, N.Y.
12 December 4, 2024
13 3:00 p.m.

14 Before:

15 HON. LORETTA A. PRESKA,

16 District Judge

17 APPEARANCES

18 DAMIAN WILLIAMS
19 United States Attorney for the
20 Southern District of New York
21 ADAM MARGULIES
22 Assistant United States Attorney

23 PETER TOUMBEKIS
24 Attorney for Defendant

25 Also Present:

Joseph Bizzaro, U.S. Postal Inspector
Vanessa Perdomo, Pretrial Services Officer

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1 (Case called)

2 THE COURT: Good afternoon, ladies and gentlemen won't
3 you be seated.

4 United States against Jared Solomon.

5 Is the government ready?

6 MR. MARGULIES: Yes. Good afternoon, your Honor.
7 Adam Margulies for the government. I'm joined at counsel's
8 table by U.S. Postal Inspector Joseph Bizzaro --

9 MR. BIZZARO: Good afternoon, your Honor.

10 MR. MARGULIES: -- and Pretrial Services Officer
11 Vanessa Perdomo.

12 THE COURT: Good afternoon. Thank you.

13 And is the defense ready?

14 MR. TOUMBEKIS: On behalf of the defendant, your
15 Honor, my name is Peter Toumbekis. And standing beside me,
16 Judge, is the defendant, Jared Solomon.

17 THE COURT: Yes, sir. Thank you.

18 How would you like to proceed, counsel? Has
19 Mr. Solomon been arraigned?

20 MR. MARGULIES: He has not been arraigned. This is
21 his initial appearance.

22 THE COURT: Mr. Solomon, would you stand, please.

23 Sir, have you received a copy of the indictment
24 against you, 24 CR 665?

25 THE DEFENDANT: Yes, ma'am.

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1 THE COURT: Have you gone over it with your attorney?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Has he explained the charges against you?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Would you like me to read it out loud now
6 here in court, or is it enough that you've discussed the matter
7 with your lawyer?

8 THE DEFENDANT: No, thank you. It was enough.

9 THE COURT: How do you now plead, sir?

10 THE DEFENDANT: Not guilty.

11 THE COURT: Thank you. Won't you be seated.

12 What's the status of discovery, please?

13 MR. MARGULIES: Your Honor, the government is prepared
14 to produce discovery within three weeks. It hasn't produced
15 discovery yet, but it will do so on a rolling basis, and
16 expects to produce all of the Rule 16 discovery in its
17 possession in the next three weeks.

18 THE COURT: What is the nature of the discovery, in
19 general, please?

20 MR. MARGULIES: It consists of a few categories. One
21 is documents, including emails, agreements, or purported
22 agreements, and other records obtained from Mr. Solomon's
23 former employer, which is Victim Company 1, referenced in the
24 indictment; it contains documents voluntarily produced by
25 another witness in the investigation, and it contains records

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1 obtained from various companies, including JP Morgan Chase,
2 GoDaddy, Domains by Proxy, phone companies, Google, and several
3 other companies as well.

4 THE COURT: Okay. Thank you.

5 Counsel, how long would you like to review the
6 discovery and come back and tell me whether you have motions to
7 make?

8 MR. TOUMBEKIS: Judge, I'm assuming -- I don't want to
9 assume too much. I don't know the volume of material. Is
10 there any sense of the volume of material, pagewise or gigabyte
11 size?

12 THE COURT: Mr. Margulies?

13 MR. MARGULIES: I don't have gigabytes. It's not
14 particularly voluminous. I would estimate it's several
15 thousand pages, but I would propose a next conference date that
16 would allow defense counsel sufficient time to review it,
17 perhaps a date 60 days out.

18 THE COURT: Is that all right with you, counsel?

19 MR. TOUMBEKIS: I would agree with that, Judge.

20 THE COURT: Very good. Thank you.

21 Two months from now, right?

22 MR. MARGULIES: Yes, your Honor.

23 THE COURT: Thank you.

24 THE DEPUTY CLERK: February 5th at 10:30.

25 MR. TOUMBEKIS: Say again, please.

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1 THE DEPUTY CLERK: February 5th at 10:30.

2 MR. TOUMBEKIS: That would be fine.

3 THE COURT: Excellent.

4 What else?

5 MR. MARGULIES: Your Honor, the parties have discussed
6 a bond package. I'm happy to set forth the terms of that on
7 the record.

8 THE COURT: Yes, sir.

9 MR. MARGULIES: The bond package that the parties have
10 agreed upon consists of a \$250,000 personal recognizance bond,
11 with three cosigners who are financially responsible persons;
12 pretrial supervision as directed by pretrial services; travel
13 restrictions to the Southern and Eastern Districts of New York
14 as well as the District of New Jersey and the District of
15 Connecticut; the surrender of travel documents, and no new
16 applications; no contact with victims or witnesses, including,
17 in particular, employees of Victim Company 1 and employees of
18 other companies that Mr. Solomon conducted business with while
19 at Victim Company 1, except in the presence of counsel; and
20 Mr. Solomon to be released on his own signature today, after we
21 head over to sign the bond at the clerk's office, with the
22 remaining conditions be to be met in one week.

23 THE COURT: Is it acceptable to you, counsel?

24 MR. TOUMBEKIS: Yes, it is, Judge.

25 THE COURT: Okay. Very good. It's acceptable to the

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1 Court.

2 MR. TOUMBEKIS: May I make one request of your Honor?

3 THE COURT: Yes, sir.

4 MR. TOUMBEKIS: Your Honor, I normally would not make
5 any request for travel at such an early stage in a case, but I
6 would be remiss if I didn't. At the risk of not wanting to
7 sound like we don't take this as serious as it is – because we
8 do – because of the holidays and the fact that Mr. Solomon has
9 a son that he lives with, with his wife and two stepchildren,
10 two stepsons, Mr. Solomon's wife's parents, who are going to
11 sign the bond, they had arranged for the family to go on a
12 cruise, and the cruise is from December 22nd to December 29th.
13 They're all going to be traveling together. They know no other
14 place than New York City as home. And I would beg of this
15 Court, and pray of you, to consider granting Mr. Solomon this
16 one courtesy, to go on this cruise. It's already been paid for
17 and preplanned many months ago.

18 THE COURT: But where?

19 MR. TOUMBEKIS: The cruise is – and I can list it to
20 you – it's in Puerto Rico and the islands right there in the
21 Caribbean. It departs from San Juan, Puerto Rico, and it
22 returns to San Juan, Puerto Rico, and they're flying the same
23 days to and from San Juan. So, December 22nd to the 29th are
24 inclusive dates of leaving New York. And the cruise stops at
25 Tortola, British Virgin Islands; Antigua; Barbados; St. Lucia;

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1 and then St. Martin.

2 THE COURT: Thank you.

3 Officer?

4 MS. PERDOMO: Pretrial does not oppose, your Honor, as
5 long as they provide proof of itineraries, including the
6 flights and the copy of the cruise itinerary.

7 THE COURT: Mr. Margulies?

8 MR. MARGULIES: While the government certainly
9 understands the reason for the request and that it was
10 previously booked, the government does oppose for a couple of
11 reasons:

12 First – this is maybe just a practical issue – my
13 understanding is it's an international cruise. While it starts
14 and finishes from Puerto Rico, it would require him,
15 presumably, to have international travel documents with him,
16 and I think, moreover, it is a very early stage of the case.
17 And Mr. Solomon, while he doesn't have a criminal history, is
18 charged with a two-year mandatory minimum count, with a
19 separate count that's a 20-year maximum. The government is
20 alleging that the restitution, if he is found guilty in this
21 case, will be over \$9-1/2 million. And in this posture, we
22 don't think it's appropriate that he go on an international
23 cruise right at the start of his pretrial supervision.

24 THE COURT: Counsel?

25 MR. TOUMBEKIS: I have nothing further, your Honor.

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1 THE COURT: All right.

2 The conditions of bail will be complied with prior to
3 the cruise; is that right, counsel?

4 MR. TOUMBEKIS: Yes, your Honor.

5 THE COURT: All right. I will permit it --

6 MR. TOUMBEKIS: Thank you, your Honor, greatly.

7 THE COURT: -- on the conditions that the officer
8 mentioned.

9 MR. TOUMBEKIS: And, Judge, may we surrender
10 Mr. Solomon's passport on the 30th, the day after he arrives?
11 We may be able to come here at 29th. I wanted to represent
12 clearly, his flight comes in --

13 THE COURT: I hear you.

14 MR. TOUMBEKIS: -- around 11:00, I think.

15 MS. PERDOMO: So, he is able to surrender his passport
16 today or tomorrow, and then we will return the passport the day
17 before his travel.

18 THE COURT: Excellent, very good.

19 MR. TOUMBEKIS: Thank you, Judge.

20 THE COURT: What else, friends?

21 MR. MARGULIES: Your Honor, the government would move
22 to exclude time, under the Speedy Trial Act, from today until
23 the next scheduled conference, which I believe is February 5th,
24 to enable the parties to prepare, produce, and review Rule 16
25 discovery, and to discuss any potential pretrial resolutions.

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1 We believe such an exclusion would be in the interests of
2 justice.

3 THE COURT: Any objection?

4 MR. TOUMBEKIS: I consent, your Honor.

5 THE COURT: Yes, sir.

6 In order for counsel to produce discovery and defense
7 counsel to review discovery and discuss any pretrial
8 resolutions, time between today and February 25 is excluded
9 from calculation under the Speedy Trial Act, in the interests
10 of justice.

11 Anything else, friends?

12 MR. MARGULIES: Nothing further from the government,
13 your Honor.

14 MR. TOUMBEKIS: Nothing further from the defense, your
15 Honor.

16 THE COURT: Thank you.

17 Thank you, officer.

18 MR. TOUMBEKIS: Thank you for your time.

19 THE COURT: And, counsel, why don't you come up here
20 and just be sure we have the conditions right.

21 MR. MARGULIES: Your Honor, if I just may very
22 briefly – I know we typically do this in Magistrate Court, but
23 I just wanted to note that the date and time of arrest this
24 morning, for the record, was approximately 6:35 in the morning
25 this morning.

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1 THE COURT: Yes, sir. Thank you.

2 MR. MARGULIES: Thank you.

3 THE COURT: Come on up, gents, and when Ms. Phillips
4 is finished, she'll show it to you, and make sure we have it
5 down.

6 (Pause)

7 THE COURT: Thank you, Mr. Marshal.

8 Thank you, counsel.

9 MR. TOUMBEKIS: Thank you, Judge.

10 MR. MARGULIES: Thank you, your Honor.

11 THE COURT: Good afternoon. Thank you. Thank you,
12 Mr. Marshal.

13 (Adjourned)

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